In the High Court of Judicature at Madras

Dated: 03.01.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

Writ Petition No.34944 of 2006

V. Subramanian ..Petitioner

..vs..

1. The Member Secretary,
Chennai Metropolitan
Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

2.The Commissioner
Corporation of Chennai
Chennai 600 003.

3.The Commissioner of Police
Egmore, Chennai 600 008.

4.Sri Rajasthani Jain Samaj
Educational Trust rep. By
Mr. Harish L. Metha,
Managing Trustee,
62, Burkit road, T.Nagar
Chennai 600 017. ..Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus as stated therein.

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For Petitioner : Mr. Srinivasan
for M/s. Hari & Guru Assts.
For Respondents : Mr.J.Ravindran for R1
Mr. L.N. Prakasam for R2
Mr. A. Arumugam for R3
Mr. R. Mohan for R4

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ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

By consent of all the parties, the writ petition itself is taken up for final disposal.

2. The petitioner has filed the above writ petition to issue a writ of mandamus directing the first and second respondent to demolish the superstructure at 5/13, Thambiah Reddy Road Extension, West Mambalam, Chennai 600 033, illegally and unauthorisedly put up by the 4th respondent and further direct the third respondent to render all assistance for carrying out the work of demolition of the above mentioned property.

3. In view of the order to be passed hereunder, it is unnecessary to refer the factual details as stated in the affidavit. It is brought to our notice that in rent control proceedings between the petitioner and the 4th respondent against the order dated 07.11.2006 in CRP.No.831 of 2006, on the file of this Court, the very same petitioner filed appeal to the Supreme Court in SLP.(Civil)No.20064 of 2006. By order dated 11.12.2006, the Hon'ble Supreme court, dismissed the said Special Leave Petition, and confirmed the order granting time to vacate the premises till 30th May, 2007. In view of the said order, we clarify that the respondents 1 and 2 are directed not to take any further action till 30.05.2007. After expiry of the said period, it is for the respondents 1 and 2 to proceed in accordance with law.

With the above observation, the writ petition is dismissed. No costs.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Member Secretary,
   Chennai Metropolitan
   Development Authority,
   No.1, Gandhi Irwin Road,
   Egmore, Chennai-600 008.

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2. The Commissioner
   Corporation of Chennai
   Chennai 600 003.

3. The Commissioner of Police
   Egmore, Chennai 600 008.

1 cc To Mr.L.N.Praghasam, Advocate, SR.565.
1 cc To M/s.Hari and Guru Associates, Advocate, SR.567.
1 cc To Mr.J.Ravindran, Advocate, SR.405.
1 cc To Mr.R.Mohan, Advocate, SR.350.

Writ Petition No.34944/06

ASM(CO)
RVL 10.01.2007

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